	Application No.	Applicant(s)
Notice of Allowability	10/022,403	BESHAI, MAGED E.
	Examiner	Art Unit	
	Raj Jain	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *12/20/01*.

2. ☒ The allowed claim(s) is/are *1,3-16*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date *8/6/04, 1/6/04*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with John Fortin (Telephone # 613-768-3035) on January 17, 2006.

Abstract: Delete Abstract and replace with following new abstract;

"A method and a network for a universal transfer mode (UTM) of transferring data

packets at a regulated rate are disclosed. The method defines a protocol that uses an

adaptive packet header simplify packet routing and increase transfer speed. The

protocol supports a plurality of data formats, such as PCM voice data, IP packets, ATM

cells, frame relay and the like. The network preferably includes plurality of modules that

provide interfaces to various data sources. The modules are interconnected by an optic

core with adequate inter-module links with preferably no more than two hops being

required between any origination/destination pair of modules. The adaptive packet

header is used for both signaling and payload transfer."

Delete Claim 2.

Claim 1, replace "A protocol" in line 1 with "A method and a network for a

universal transfer mode (UTM)". In line 9, after the word "network"

"transferring payload data packets as connectionless packet traffic wherein the adaptive header is used to distinguish a connectionless payload packet from a connection-based payload packet;

transferring payload data packets as connection- based data packet traffic wherein the adaptive header identifies a connection through which the payload data packets are transferred;

managing connectionless payload data packet traffic to ensure committed quality of service wherein the adaptive header identifies a quality of service associated with each connectionless payload data packet and the quality of service specifies at least an order in which the connectionless data packets are served during transfer through the data network;

establishing any of a path, a connection within a path, or an independent connection using the adaptive header as a control packet; modifying the allocated bit rate of any of a path, a connection within a path, or an independent connection using the adaptive header as a control packet;

and deleting any of a path, a connection within a path, or an independent connection using the adaptive header as a control packet." Has been added.

Claim 3 replace "A protocol" in 10 with "UTM".

Claim 3 replace "protocol" in line 11 with "UTM".

Claim 4 replace "A protocol" in line 22 with, "UTM".

Claim 5 replace "A protocol" in line 28 with "UTM".

Claim 6 replace "A protocol" in line 32 with "UTM".

Claim 7 replace "A protocol" in line 4 with "UTM".

Claim 8 replace "A protocol" in line 8 with "UTM" .

Claim 9 replace "A protocol" in line 24 with "UTM" .

Claim 10 replace "A protocol" in line 31 with "UTM" .

Claim 11 replace "A protocol" in line 9 with "UTM" .

Claim 12 replace "A protocol" in line 30 with "UTM" .

Claim 13 replace "A protocol" in line 10 with "UTM" .

Claim 14 replace "A protocol" in line 26 with "UTM" .

Claim 15 replace "A protocol" in line 6 with "UTM" .

Claim 16 replace "A protocol" in line 11 with "UTM" .

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claim 1, is allowed.

The prior art discloses a method and system for data packet transfer with an header and data portions within a packet format with destination and source addresses and transferring payload for connection and connectionless based networks.

The prior art however fails to disclose or fairly suggest an adaptive header within a universal transfer mode or UTM, wherein the adaptive header distinguishes a connectionless payload packet from a connection based payload packet and further

managing the connectionless payload packet to ensure committed quality of service (QoS) that an adaptive header identifies for each connectionless payload packet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
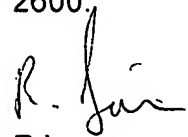
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax number for the organization where this application is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

RJ
January 23, 2006

WELLINGTON CHIN
ERVISORY PATENT EXAMINER